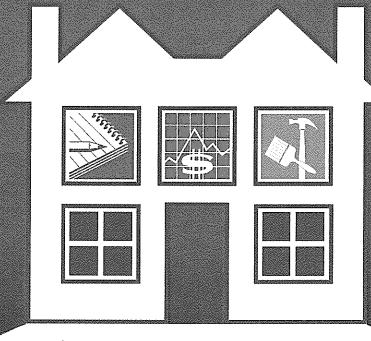


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CATEGORY 7: ANNUAL MEETINGS & ELECTIONS

7A. HOW-TO... Plan And Hold the Annual Members & Board Meetings 7B. HOW-TO... Board Member Transitions

From the specialists in Board and Self-Management Training

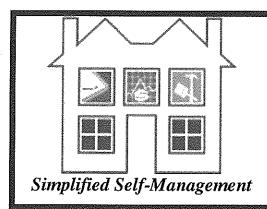
Shirley Feldmann and Angela Falzone



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HOW-TO.... 7A. PLAN AND HOLD THE ANNUAL MEMBERS MEETING (ELECTION) & BOARD MEETINGS

In this packet, you will find the following topics that are specific to this How-To process:

- A. Introduction
- **B.** AAI Forms List
- C. Step-By-Step Instructions
- D. Definitions & Explanations (includes many important Election/Voting Terms)
- E. Next Steps
- F. Resources

A. INTRODUCTION

The main purpose of the Annual Members Meeting is to determine who will serve on the Board for the next year and, depending upon the language of the Bylaws, possibly the next two years (or more, for noncondominium associations). If done correctly, all owners will be given the opportunity to serve on the Board, owners will have the right to send a proxy with specific directions for their choice of candidates, and the Board will have accomplished all aspects of the meeting within the legal guidelines of the Illinois Condominium Property Act (ICPA).

If done incorrectly, the process could be challenged, resulting in a dissolution of the actions taken, and the necessity to hold the meeting again. To prevent errors, AAI has created a guide to planning and holding the Annual Members and Board Meetings, including all notices, forms and processes involved. By following our Step-By-Step Instructions, the Board can rest assured they have acted appropriately and fulfilled their fiduciary responsibility to the owners.

In addition, the Annual Meeting may be a good time to encourage owners to socialize and get to know each other. The Board can choose to offer refreshments at the Association's expense. This often increases attendance at the meetings and encourages more community involvement. If making this a social event, be sure to add all appropriate information in the customization of your Notices, as applicable.

This AAI How-To process will include the use and customizing from a choice of 15 different sample forms, divided into three separate packages. Each package is fully explained and includes the specific forms required to fulfill that portion of the process.

B. AAI FORMS LIST:

Please review the List of Forms and Usage. Every Association is different; therefore, you should customize these forms to meet your Association's specific needs. Please note that there may be information in the Header & Footer sections that require your customization or deletion prior to distribution.

Summary of Forms Needed for this How-To are: Forms 7.AnMtg_F1-14

C. STEP-BY-STEP INSTRUCTIONS

Refer to your Summary Sheet from the Training Session and/or read any applicable sections in your Association's Declaration/Bylaws before getting started.

1) Association Guidelines: Each Association is different, so it is important to review your Association's specific guidelines as set forth in your Bylaws. Such items of pertinence include, but are not limited to: Meeting Date; Number of Board Positions; Terms of Office; Quorum; Cumulative vs. Non-Cumulative Voting; Secret Ballot; Mail-In Ballot, etc. To begin, we recommend that you review your Bylaws and fill out the Annual Members Meeting Summary Form (see attached), so all pertinent information is within easy access for future reference.

1	7.AnMtg_F1.doc	Annual Members Meeting Summary Form

All Bylaws will state the month that each Association's Annual Meeting of the Members must be held. Many are held in November—which can be very efficient, especially for those associations on a January-December fiscal year—but also may be triggered by the date of the initial Developer Turnover Meeting and held annually thereafter.

In addition to the Annual Members Meeting requirements, the Board also must hold an Annual Board Meeting. The ICPA states that the Board must hold an Annual Board Meeting within 10 days of the Annual Members Meeting. The purpose of this meeting is to elect officers for the coming year. For efficiency and convenience, it is recommended that the Annual Board Meeting be held immediately after the Annual Members meeting, as detailed in the AAI process.

Note: Another requirement of the ICPA is an Annual Budget Adoption Meeting. Depending on the fiscal year of the Association, it is possible to hold this meeting on the same night as well. To accomplish this, the Board would have to distribute to the owners an approved budget 30 days before the date of the Annual Members Meeting (See Category 4-Budget & Financials). The night of the meeting, the Board could hold the annual Budget adoption meeting first. The purpose would be to allow owners the opportunity to discuss the budget and the Board to adopt it. Once adjourned, the Association would then go on to the Annual Members and Board meetings.

2) Annual Members Meeting and Board Meeting Schedule: As all actions taken by the Board are guided by the ICPA and the Declaration and Bylaws of the Association, the Annual Meeting is no exception. Detailed in various paragraphs of Section 18 of the ICPA, the Annual Meeting notice must go out no less than 10 nor more than 30 days. For non-condominium associations, notice is not less than 5 nor more than 60 days in advance, as set forth in the Not For Profit Corporation Act (NFPA 107.15).

Additionally, various other forms and processes are time sensitive. To accommodate the accuracy of the notification requirements, the first step will be to complete the *Annual Members Meeting and Board Meeting Schedule*.

2	7.AnMtg_F2.doc	 Annual Members Meeting &
		Board Meeting Schedule

The directions in the Schedule are clear and detailed. Following each of the 10 steps, complete the Schedule so that each of the applicable forms included in the 3 packages will be adhered to. A sample Schedule has also been provided for your understanding.

3) Preparation/Distribution of Package #1: The intent of Package #1 is to provide the *Initial Notice of Annual Meetings*, so owners can save the date in advance, and to send the *Board Qualification Form*, inviting all owners to apply for the Board. This process will ensure fair and equal treatment to all owners.

3	7.AnMtg_F3.doc	Initial Notice of Annual Meetings
4	7.AnMtg_F4.doc	Board Qualification Form

Politics may sometimes play a large part in the success of your Annual Meeting. If your Association is like most, apathy often runs rampant in Association living; therefore, the Board may need to actively solicit applicants for the Board. It also helps to put words of empowerment in the *Initial Notice* letter to encourage owners to get involved in their community.

A) Initial Notice of Annual Meetings: Following the Schedule, prepare the first package of materials to go out to owners. Refer to your completed Annual Members Meeting Summary Form to fill in the applicable information on the Initial Notice of Annual Meetings form.

3	7.AnMtg_F3.doc	Initial Notice of Annual Meetings

To determine the number of Board seats available: Check the Declaration and Bylaws for the number of seats required to serve on the Board. Most boards will consist of 3 or 5 members for smaller associations. Some declarations will establish a "Staggered Term" or rotation process, which states that each year, only a certain number of members will be replaced. If this is not detailed in the Association documents, the law states that at least 1/3 of the board must change annually; therefore, on a 3-person board, at least one seat will be open. Once a rotation is established, it is easy to determine the seats available by reviewing the previous year's Minutes. Your Bylaws will also state how this should be handled due to a board vacancy that may have occurred and/or been filled during the course of the Term.

B) Board Qualification Form: This is the application for the Board that will provide owners with information on each candidate, so they can make an informed decision during the voting process. It also shows that the candidate gave thought to being on the Board and was not just an impulse decision.

4	7.AnMtg_F4.doc	Board Qualification Form
l		

Refer to your completed Annual Members Meeting & Board Meeting Schedule to fill in the deadline when applications should be returned and to whom. We recommend giving the owners 1-2 weeks to consider board involvement, fill out the forms and return by the deadline. This timeframe can be changed to meet the overall Schedule.

<u>C) Distribution:</u> Each owner will get one complete Package, which will include the two customized forms as noted above. This first package should be sent (mailed or delivered as per Bylaws) to all owners of record approximately 45 days prior to the chosen date of the meeting. If a unit is not owner occupied, then you must mail it to the owner of record—tenants should not receive them nor do they get to participate in the process.

(Note: While the law for condominium associations does say the notice must go out no less than 10 no more than 30 days prior to the meeting, a future reminder notice will be sent within that time frame which will qualify for the legal compliance).

- 4) Preparation/Distribution of Package #2: The Board Qualification Forms have been returned by the due date from owners showing each candidate's interest in running for the Board, and it is now time to prepare the next package of materials. Package #2 will include:
 - 1. Annual Meeting Reminder Notice
 - 2. All completed and submitted Board Qualification Forms
 - 3. Applicable Proxy to your Association (either Cumulative or Non-Cumulative)
 - 4. Agenda for the Annual Members Meeting
 - 5. Agenda for the Annual Board Meeting
 - 6. Minutes of previous year's Annual Members Meeting (if applicable)
 - 7. Minutes of previous year's Annual Board Meeting (if applicable)

A) Annual Meeting Reminder Notice: The Annual Meeting Reminder Notice acts as the cover letter for Package #2 and explains the process and what owners will find in the package. We recommend you include them within the package in the order as listed above.

5	7.AnMtg_F5.doc	Annual Meeting Reminder Notice

Be sure to customize the Annual Meeting Reminder Notice to fill in all of the blanks, which will again act as the owner notification of the meeting to ensure ICPA compliance including the day, date, time, location and use of the enclosed Proxy. You will also need to list all known Board candidates. Most important in the Annual Meeting Reminder Notice is the date the completed Proxy must be returned (if not being brought directly to the meeting by the person designated as the "Proxy"). It is recommended that the *Proxy* be returned no later than 3 days prior to the meeting. This will give the Board a preview of the response and ability to fill the quorum by "politicking" and/or contacting owners directly, if needed. Of course, owners may give their completed *Proxy* to the person attending in their place as well.

Note: Changes to the Not For Profit Corporation Act (NFPA) as of January 1, 2010, may now allow the Board to conduct the election of directors, officers or representatives by email or other electronic means, if not prohibited by the Articles of Incorporation or Bylaws of the Association. Proxies may no longer be necessary and ballots may be distributed by email or other electronic means along with other criteria. A legal opinion in this regard is strongly recommended.

Nominations From the Floor: Some Declarations/Bylaws may state that owners have the right to be nominated from the floor. Even if it is not a requirement, the Board may need to accept nominations from the floor in the event that not enough Board candidates have yet stepped forward in advance of the Annual Meeting. The Board may eliminate nominations from the floor by adopting election rules. A legal opinion should be obtained in this regard. The Board may customize this form to include or exclude taking nominations from the floor during the Annual Meeting, as appropriate. However, if an owner has submitted a proxy in advance of the meeting, the candidate who waits to step forward the night of the meeting will be at a disadvantage since many owners may already have directed their proxy to vote otherwise. Either way, it is recommended that the process be explained upfront to avoid confusion.

- **B)** Board Qualification Forms Submitted: Each completed Board Qualification Form submitted should be copied and given to each owner to help them better understand the applicants running for the Board and identify whom they may choose to place their vote(s). These can be copied double-sided to save on postage, if preferred.
- C) Proxy: (Note: As noted earlier, changes to the NFPCA of Jan. 1, 2010 may preclude the need to send out a Proxy. If determined by the Association's attorney that a Proxy is required, this section will apply.) A Proxy is sent to owners prior to the meeting and includes all known candidates running for the Board and allows for a write-in candidate. It allows an owner who cannot attend the meeting to appoint another person to vote in their absence, or in their "stead," at the meeting and will give the owner the opportunity to state their choice for the Board. The Proxy also will assist in creating a Quorum to open and hold the meeting. Refer to your completed Annual Members Meeting Summary Form to determine which Proxy form your Association will need—Cumulative or Non-Cumulative.

6	7_AnMtg_F6.doc	Proxy—Cumulative
7	7_AnMtg_F7.doc	Proxy—Non-Cumulative

- 1) Cumulative Voting Example: Cumulative voting means that if, for example, there are three seats open for the board, an owner may place all three votes for one person, cumulating his/her percentage of ownership to be applied to one candidate. Detailing this example further, if the owner's percentage of ownership is 3%, and there are three seats open, he/she may place all three votes for one person, resulting in 9%, or he/she may place one vote for each of the three seats (or any combination).
- 2) Non-Cumulative Voting Example: In Non-Cumulative voting, the owner may only vote one time for each person of his choice. In this example, each candidate could only receive 3% (or one vote) from this owner.

Once the proper *Proxy* form is determined, complete the necessary information customizing <u>either</u> the *Proxy—Cumulative* <u>or</u> *Proxy—Non-Cumulative* form for the meeting, including the day, date, time and location. Be sure to customize your Association's form to include the number of seats that are available for this election, and votes required. The ILCPA states that owners must be given an opportunity to identify their preference for any known candidates. The *Proxy* must therefore include

the names of all known applicants. Additionally, a line for write-in candidates should be allowed. It is recommended that proxies by copied on colored paper to prevent tampering with signed proxies by changing dates, votes, etc.

Note: A proxy is <u>not</u> a Ballot. It is the direction of the owner to the person they are designating as their "Proxy" on how the Ballot should be completed at the meeting. The person voting as "Proxy" must complete the Ballot at the meeting.

<u>D) Mail-In Ballots:</u> Recent changes to the ICPA will allow Mail-In Ballots, which would eliminate the Proxy process. There are, however, specific protocols and timeframes prior to an Annual Meeting that must be adhered to in order to establish the Mail-In process. For further information, contact your Association's condo attorney.

E) Annual Members Meeting & Annual Board Meeting Agendas: The Agenda for Annual Members Meeting and Agenda for Annual Board Meeting should be included in Package #2. These agendas are templates of a generic Annual Meeting. (Note: If election rules have been adopted to exclude nominations from the floor, then that should be removed from the Agenda, as applicable.)

8	7_AnMtg_F8.doc	Agenda for Annual Members Meeting
9	7_AnMtg_F9.doc	Agenda for Annual Board Meeting

Customization can include the addition of other items to be discussed and voted on at the meeting. If the Agendas are not long, they can be either copied double-sided or placed on the same side to save on copies/postage.

Note: Owners can vote on issues at a Members Meeting only. The Board votes on issues at a Board meeting only.

- <u>F) Minutes of Annual Meetings:</u> Minutes of the previous year's Annual Members Meeting and Annual Board Meeting should be included in Package #2, if applicable. These minutes will be approved at each of the annual meetings.
- G) Distribution: Each owner will get one complete Package, which will include the list as noted above. This second package should be sent (mailed or delivered as per Bylaws) to all owners of record approximately 15 days prior to the chosen date of the meeting. Again, if a unit is not owner occupied, then you must mail it to the owner of record—tenants should not receive them nor do they get to participate in the process.
- 5) Preparation/Distribution of Package #3: As the meeting date approaches, it is time to prepare the third package of materials. This time, however, it will not be sent to the owners but instead will be used and/or distributed at the meeting itself. The following will be included in Package #3:
 - 1. Applicable Ballots to your Association (either Cumulative or Non-Cumulative)
 There should be one Ballot for each Member Unit.
 - 2. Sign-In Sheet
 - 3. Ballot Counting Sheet For Individual Candidates

4. Ballot Counting Summary Sheet

<u>A) Ballots:</u> One *Ballot* must be prepared for each unit and will allow owners to place their vote. The Ballot will be distributed to each owner upon arriving and signing it at the meeting. Refer to your completed *Annual Members Meeting Summary Form* to determine which Ballot form your Association will need—Cumulative or Non-Cumulative.

10	7_AnMtg_F10.doc	Ballot—Cumulative
11	7_AnMtg_F11.doc	Ballot—Non-Cumulative

Once the proper *Ballot* form is determined, complete the necessary information customizing <u>either</u> the *Ballot—Cumulative* or *Ballot—Non-Cumulative* form for the meeting. It should contain the Unit Number and the Name of Owner(s), as well as the Percentage of Ownership related to that unit. This will allow the final voting tabulation to take place as all votes are counted by Percentage of Ownership. It is most important when tabulating the final votes in Cumulative Voting.

Note: If your Association has deeded Parking Units, care should be taken to include the parking space portion of Percentage of Ownership that would need to be added to the Residential Unit Owner's Ballot. Be sure to refer to your Association's Bylaws and Percentage of Ownership exhibit to the Association documents for accuracy, and act accordingly.

B) Secret Ballot Process: There is a Secret Ballot process allowed in the ICPA, which would eliminate the unit identification on the Ballot; however, there are specific procedures and timeframes that must be followed in order to implement. For further information, contact the your Association's condo attorney.

<u>C) Sign-In Sheet:</u> The Sign-In Sheet is used when owners/proxies arrive at the meeting. They will be asked to sign in, either as "in person" or "by proxy" for another owner. Customize the Sign-In Sheet in advance so that it will identify each owner, unit number and percentage of ownership. List owners either alphabetically or by unit # so owners will easily be able to sign in—either for themselves or for the unit they may be representing as a Proxy.

12	7_AnMtg_Fl2.xls	Sign-In Sheet

The Sign-In Sheet will allow the confirmation of a quorum (see Quorum in the Bylaws or your Annual Members Meeting Summary Sheet) so that the meeting can be called to order. Without a quorum, the meeting cannot continue. If the quorum dictated in the Bylaws is 20%, then there must be a quorum of ownership, either "in person" or "by proxy" of that number to continue. (Standard quorum for condominiums with 20 or more units is 20%, by law, unless otherwise noted in the Bylaws or owners have voted for a different percentage). This is almost always based on percentage of ownership and not the number of units. Personal signatures in the appropriate columns are important to this process for legal clarification that the meeting was held correctly.

D) Ballot Counting Sheet for Individual Candidates & Ballot Counting Summary Sheets: Be sure to bring with you at least one Ballot Counting Sheet for Individual Candidates for each known candidate plus a handful of extras to account for any nominations from the floor, write-in

candidates and mistakes requiring a new form. Although you may only need one *Ballot Counting Summary Sheet*, it is good to have an extra in the event someone makes a mistake.

13	7_AnMtg_F13.doc	Ballot Counting Sheet for Individual Candidates
14	7_AnMtg_F14.doc	Ballot Counting Summary Sheet

Note: Some Associations may have successfully computerized the Ballot Counting Process through an Excel or other spreadsheet program, making the Counting Sheets unnecessary. If using a computerized counting method, it is important to ensure that all voting is applied by Percentage of Ownership and the Cumulative or Non-Cumulative counting procedures are adhered to as per the Bylaws.

Note: Changes to the Not For Profit Corporation Act (NFPCA) as of January 1, 2010, may now allow the Board to conduct the election of directors, officers or representatives by email or other electronic means, if not prohibited by the Articles of Incorporation or Bylaws of the association. Proxies may no longer be necessary and ballots may be distributed by email or other electronic means along with other criteria. A legal opinion in this regard is strongly recommended.

6) Tabulation of Votes: Once the meeting proceeds, and the *Ballots* are collected, the counting begins. Generally, two volunteers from the audience can help count the *Ballots*. A Percentage of Ownership vote is written on each line as taken from the ballots. In Cumulative Voting, be sure to account for any multiple votes for an individual candidate.

Using an example of 5 board members being voted in, thus 5 votes can be cast...

If one owner with a 3% percentage of ownership puts 3-votes to Candidate A, 1-vote to Candidate B, 1-vote to Candidate C, and no votes for Candidate D, then the Individual Counting Sheets will look like this for the votes from that particular Ballot:

Candidate A	Candidate B	<u>Candidate C</u>	Candidate D
3%	3%	3%	0%
3%			
3%			

Once the tabulations are done for each Individual Candidate and each is tabulated with their Total Votes Received, the *Ballot Counting Summary Sheet* can be completed with the Total Votes Received By Candidate. This will place the applicants in order of the highest votes received, and will identify the candidates that will serve on the Board. In a staggered term or rotation process, those receiving the highest number will serve for a two-year term and the ones with fewest votes will serve for a one-year term.

As an example, if by chance, all seats on a 5-person board are up for replacement, the 3 receiving the highest votes would serve for two years; the next two highest vote getters would serve for one year. The following year, those last two would be up for renewal. When those candidates are chosen to fill the two seats, their term would be for two years. This then sets the rotation process, one year with three seats up, the next with two, etc., and all for a two-year term. The rotation process is designed to give the Board continuity from year-to-year. By keeping accurate minutes, and files, it would be easy to retain the rotation process accurately.

- 7) Annual Board Meeting: Immediately following the adjournment of the Annual Members Meeting is the calling to order of the Annual Board Meeting. The most important agenda item for this meeting is the determination of board officers. While owners vote for who will serve on the Board, the Board votes on who will serve as President, Secretary, Treasurer and/or other positions required by the Declaration and Bylaws. In addition, the board may address current issues and/or set the time and place for the schedule of future board meetings and adjourn.
- 8) After the Meeting: Congratulate yourselves on a job well done! But, don't relax just yet; there are a few more things to do now that the meeting is over:
 - A) Notification to Owners: In advance of the Minutes being done, the owners should be notified who their new board is and what positions each hold. This can be done by email, posting in a common area or mailing/distribution.
 - B) Annual Meeting Minutes: Important to the final step in the Annual Meeting process are quality minutes. Each meeting should have its own separate minutes. Be sure to reference the completed Sign-In Sheet as an attachment. Although they will not be officially approved until the next year's Annual Meetings, it is still a good idea to get them done as quickly as possible and distribute to the owners.
 - C) Record Keeping: All Annual Meeting Notices, Forms, Sign-In Sheets, Ballots and Proxies should be put in a folder labeled "Annual Members Meeting—Month/Year" and kept in Management or Secretary files for a minimum of one year. (See Category 2: How-To/Records of Association for additional files required to be kept by the Association)
 - **<u>D) Board Transition:</u>** Please refer to "How-To_Board Member Transitions" to ensure a smooth transition between Board members.

While the AAI process for Annual Members Meetings and Annual Board Meetings seems daunting at first, once the templates and protocols have been applied, subsequent Annual Meetings will move effortlessly and accurately, with the standardization in place. The Board can be confident that they have applied all legal aspects to the voting process, have eliminated the fear of a challenge to their protocols, and have presented a fair and equal right to all owners to be a part of the Board while encouraging an active participation in the process. This will lead to better-educated Board members and highly satisfied owners.

And, don't forget, AAI can be available to assist the Board with any or all phases of the Annual Meeting process!

D. DEFINITIONS AND EXPLANATIONS

Please refer to your Association's Declaration and Bylaws for additional definitions and to determine the specific requirements for your Association.

- 1. Quorum—The percentage of Members required to open and hold the Annual Meeting—based on each unit's percentage of ownership—whether present in person or by proxy. The quorum is dictated in the Bylaws of each Association.
- **2. Cumulative Voting**—Allows a Voting Member to place multiple votes for one candidate; thereby, accumulating a higher percentage for the preferred candidate. The total percentage is then tabulated.
- 3. Non-Cumulative Voting—Allows a Voting Member to only place one vote per each candidate.
- 4. Staggered Terms/Rotation Process—If the Bylaws dictate a Staggered or Two-Year Term, it refers to the length of term that a board member will be required to serve. This is the preferred method over one-year terms because it prevents the entire board from changing over every year and encourages board continuity. See further explanation above under Tabulation of Votes.

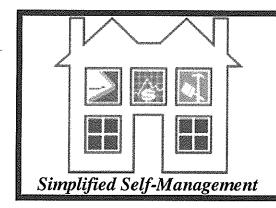
E. NEXT STEPS....

- 1. Refer to the *How-To_Board Transitions* section for tips on how to transition in New Board Members
- 2. If not done at Annual Board Meeting, the Board should set the Annual Board Meeting schedule to meet the meeting requirements as per the Bylaws (minimum of 4/per year per ICPA)
- 3. Reward the Board for a job well done!

F. RESOURCES

- 1. Association's condo law attorney
- 2. Property Manager (if applicable)
- 3. Professionals specializing in Annual Meetings
- 4. Accounting Firm (can provide audit of results, if results are contested)
- 4. CAI (Community Associations Institute) and ACTHA (Association of Condominium, Townhouse & Homeowners Associations)





HOW-TO.... 7B. BOARD MEMBER TRANSITIONS

In this packet, you will find the following topics that are specific to this How-To process:

- A. Introduction
- **B.** AAI Forms List
- C. Step-By-Step Instructions
- D. Next Steps
- E. Resources

A. INTRODUCTION

Transitions to the Board can happen in many ways. New Board members are most often elected during the Annual Members Meeting where an official election takes place. Hopefully, there will be at least one or more previous board members remaining on the Board that can guide the new members on how things are done. This will save time and allow the most efficiency right from the start of their term. In addition, if a board member resigns during the course of his/her term, the current Board or owners will need to fill the vacancy as per the requirements of the Association's Bylaws. Again, the existing Board members may help in transitioning the new member into the team.

Regardless of the reason for the transition, the new board member will be better able to serve the Association and fulfill their role in a more efficient manner if he/she is provided with the proper information upfront. The AAI process is designed to help transition new board members in to help them get up to speed quickly and efficiently.

B. AAI FORMS LIST:

Please review the List of Forms and Usage. Every Association is different; therefore, you should customize these forms to meet your Association's specific needs. Please note that there may be information in the Header & Footer sections that require your customization or deletion prior to distribution.

Summary of Forms Needed for this How To are: FORMS 7.AnMtg_F15

Forms Needed from Category #2-Management Transitions: FORMS 2.MgmtTrans_F5 and F6

C. STEP-BY-STEP INSTRUCTIONS

Refer to your Summary Sheet from the Training Session and/or read any applicable sections in your Association's Declaration/Bylaws before getting started.

1) Obtain Information: Regardless of whether a new board member is transitioning in because of an Annual Meeting or a board vacancy—and, whether professionally or self-managed—it is important that information be obtained about that new board member and how they prefer to be contacted. Use of the New Board Member Information Form can be very helpful for this purpose.

15	7_AnMtg_F15.doc	New Board Member
	_	Information Sheet

- 2) Files & Building Keys Transfer: The past board member holding that position should gather their files and any building keys in their possession and pass them on to the new board member holding that position. Ideally, this would be nicely organized in a box that could be transferred from board member to board member in the future. The past board member should review any current or future pending projects and give the new board member an idea of what is in the box. A written report, if applicable, can be very helpful. The Association's Operations Manual should be easy to find and should be reviewed as a priority. (see Category #3.A—Operations Manual)
- 3) Building/Property Walk-Through: The new board member(s) should be taken on a Building tour—whether by the property manager or a current or past board member—of all areas of the property including, but not limited to, mechanical/utility rooms, janitorial closet, phone room, security system, water shut-off valve, loading dock, roof, stairwells, etc. The Building Keys received should all be properly labeled and checked to ensure that each board member has a current set and they know where to go and what to do in the event of an emergency. This walk-through should be in conjunction with the Association's Emergency Protocols, which is a part of the Operations Manual (see Category #3.B—Emergency Protocols). Whether professionally or self-managed, it is important for the Board to know what to do in the event of an emergency.

Note: If not done already, all building doors should have signs stating what each room is for (i.e., Phone/Cable Room, Utility Room, Water Pump Room, Maintenance Room, etc.)

4) Bank Account Resolution & Signatures Needed on File: Any past board members who are listed as a signer on a bank account—whether Operating or Reserves account—need to be taken off of the account and replaced by the current board member(s), as applicable. If a board member has resigned, you may customize the Resignation of Developer Director/Officer and the Resolution for Bank Account forms to meet your specific needs (see Category 2-Management Transitions).

5	2.MgmtTrans_F5.doc	Resignation of Developer Director/Officer
6	2.MgmtTrans_F6.doc	Resolution for Bank Account

You should not wait to do this. It should be done within a few weeks of the Transition. Sometimes a previous board member moves or is unavailable and the bank will not provide information to a new board

member without the proper notification and paperwork required by the bank. Also, the Board's Director's & Officer's insurance covers the Board, so this should be considered a priority item.

5) Board Transition Meeting: Sometimes a Board may decide to hold an "Out With The Old, In With The New" transition dinner, so the past board members can meet with the new board members to share information about the past year, pending projects and future strategies. This can be a friendly way to thank the previous Board for their service and empower the new Board to carry on their good work! The receipt would be reimbursed by the Association, of course.

D. NEXT STEPS....

- 1. Set annual Board Meeting schedule and/or next board meeting, if applicable.
- 2. Set goals for pending projects.
- 3. Board members review Association's Declaration/Bylaws and pertinent documents.

E. RESOURCES

- 1. Roberts Rules of Order or Parliamentary Procedures
- 2. ACTHA or CAI
- 3. Association's files
- 4. Association's property manager or professional consultant
- 5. Association's condo attorney





An essential resource of best practices for Boards of condominium and community associations in Illinois



Learn how to get your "house" in order by proactively managing the Administrative, Financial and Physical aspects to end Board burnout and protect your investment.

CATEGORY 7: ANNUAL MEETINGS & ELECTIONS

LIST OF FORMS & USAGE

7.AnMtg_F1 through F15 (Total of 15 Forms)

From the specialists in Board and Self-Management Training

Shirley Feldmann and Angela Falzone

Helping Homeowners Protect Their Investment

www.AssociationAdvocatesInc.com



7. ANNUAL MEETINGS & ELECTIONS—The main purpose of the Annual Members Meeting or Election is to determine who will serve on the Board for the required term. The process can be quite confusing and, if not done correctly, the results of the election could be challenged, requiring it to be redone. The forms included in this section are designed to help the Board adhere to the guidelines as set forth in the Illinois Condominium Property Act, and to explain the overall process in easy-to-follow steps to ensure success and compliance. Please note that changes to the Illinois General Not-For-Profit Corporation Act (NFPCA) effective January 1, 2010 may offer electronic options for various aspects of the Annual Meeting process including, but not limited to, voting and notifications. Consult your Association's attorney for clarification in this regard. All forms are sample templates ready for customization and should not be distributed until a final legal review by your attorney is completed to confirm that there are no conflicts with your Association's governing documents and the new laws.

Please review the *HOW-TO* options below and, if more than one is available, select the version that is applicable for your Association's specific needs at this time:

HowTo_7A.AnMtg.pdf

A. HOW-TO: Plan And Hold The Annual Members & Board Meetings

HowTo_7B.BoardTrans.pdf

B. HOW-TO: Board Member Transitions

	<u>Category/Form #</u>	Form Name	Brief Description
1	7.AnMtg_F1.doc	Annual Members Meeting	This form will help guide the Board in
		Summary Form	obtaining pertinent information from the
			Bylaws in order to proceed correctly
2	7.AnMtg_F2.doc	Annual Members Meeting &	The Schedule will help the Board
		Board Meeting Schedule	determine proper deadlines for meeting
			preparation, owner notifications, and
<i></i>			completed forms to ensure compliance
<u> </u>	Package #1:		
3	7.AnMtg_F3.doc	Initial Notice of Annual	Sent as part of Package #1, the Initial
		Meetings	Notice of Annual Meetings should
			include the date, time, location and an
			invitation for all owners to run for the
			open Board positions
4	7.AnMtg_F4.doc	Board Qualification Form	Invites all owners to apply for the Board
			and provides owners with credentials
	Package #2:		
5	7.AnMtg_F5.doc	Annual Meeting Reminder	Sent as part of Package #2, the Meeting
		Notice	Reminder Notice will finalize all details
			including Proxy instructions and other
			pertinent information enclosed
6	7.AnMtg_F6.doc	Proxy—Cumulative	The type of voting and Proxy required
			will be determined in the Bylaws. A
			Proxy is sent to owners prior to the
			meeting. It allows an owner who cannot
			attend the meeting to appoint another
			person to vote in their absence at the
			meeting. This form is to be used when
ـــِــار	7 4 .) 6	D. M. C. L.:	the Bylaws require Cumulative voting
Name of the last o	7.AnMtg_F7.doc	Proxy—Non-Cumulative	(see Proxy explanation above) This form
			is to be used when the Bylaws require
			Non-Cumulative voting

8	7.AnMtg_F8.doc	Agenda for Annual Members	This sample Agenda can be used to meet
"	7.7 mivitg_1 0.000	Meeting	the minimal obligations to be completed
بل.		Meeting	at the meeting
, g	7.AnMtg_F9.doc	Aganda fan Annyal Bagud	
9	7.Amvitg_19.doc	Agenda for Annual Board	This sample Agenda can be used to meet
		Meeting	the minimal obligations to be completed
ļ			at the meeting
10	Package #3:		
10	7.AnMtg_F10.doc	Ballot—Cumulative	The Ballot is used at the meeting and
			allows owners to cast their vote for the
			seats available. This form is for use
			when the Bylaws require Cumulative
			voting
11	7.AnMtg_F11.doc	Ballot—Non-Cumulative	(see Ballot explanation above) This form
			is for use when the Bylaws require Non-
			Cumulative voting
12	7.AnMtg_Fl2.xls	Sign-In Sheet	The Sign-In Sheet may be used at the
	_		meeting to qualify the required quorum,
			show who is attending "In Person" or
			"By Proxy" and to ensure proper Ballot
İ			distribution
13	7.AnMtg_F13.doc	Ballot Counting Sheet for	This sample form may be used to tally
		Individual Candidates	the % of Ownership votes for each Board
	•		candidate. Each candidate should have
			their own separate Ballot Counting Sheet
' '4	7.AnMtg_F14.doc	Ballot Counting Summary	This form can be used to assemble each
` T]	Sheet	candidate's % of Ownership votes so that
			the winners may be identified.
			Especially helpful in determining
			Staggered Term positions.
15	7.AnMtg_F15.doc	New Board Member	This form can be used to obtain pertinent
		Information Sheet	information during the transition between
		Ingolination bittee	Board members
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ANNUAL MEMBERS MEETING SUMMARY FORM

Each Association is different, so it is important to refer to your Association's By-Laws to review the applicable section(s) on Annual Meetings, Elections and Voting procedures. It can usually be found under the "Administration" section of the By-Laws. Fill in the below information so it will be an easy reference for current and future Annual Members Meetings.

Section/Article:	Page(s)
Annual Meeting Date:	Time:
Notices Of Meetings: Distribution: Timeframe:	_ (via mail or hand-delivered) _ (within 10 to 30 days or other?)
Board of Directors: Number of Board Members: President;Treasurer;	Consists of the following Offices:Secretary;Vice President;Board Member(s)
Term of Office:	(One-Year or Two-Year/Staggered Terms)
Quorum Required:	% of Members (per the Act, it is normally 20%)
[Cumulative means that a Voting	(Cumulative or Non-Cumulative) g Member may allocate more than one vote to the same candidate.] n By-Laws here on how vacancies can be filled and the length of term)
	by-Laws net con now vacancies can be fined and the length of termy
Removal/Succession: (include la	anguage from By-Laws here on how to remove a Board Member)
	per Association's By-Laws or Rules & Regs? YES/NO ules? (circle one) Article/Section Page
	s per Association's By-Laws or Rules & Regs? YES/NO ules? (circle one) Article/Section Page
	quired to implement a Secret and/or Mail-In Ballot prior to an Annual

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ANNUAL MEMBERS MEETING & ANNUAL BOARD MEETING SCHEDULE

SUMMARY OF ANNUAL ELECTION PROCESS

1.	Pick a Date, Time and Place for the Meeting
	(Note: Be sure to reserve and confirm location, if applicable; Needed will be a table for Board at front of room, table for signing in owners, and chairs for all owners.)
2.	Back-time 30-45 days from Meeting Date to begin Process
3.	Preparation/Distribution of Package #1
4.	Mail Package #1 approx. 30-45 days prior to Annual Meeting date including: A. Notice of Meetings w/ Date, Place & Time B. Board Qualification Form w/Deadline set for approx. 15 days after mailing
5.	Receive Applications for Board by deadline Applications should be sent to
6.	Preparation/Distribution of Package #2
7.	Mail Package #2 approx. 15 days prior to Annual Meeting including: A. Meeting Reminder Notice B. Board Qualification Forms submitted C. Proxy w/Due Date for Request of Proxy Submissions D. Agenda for Annual Meeting E. Agenda for Annual Board Meeting F. Minutes of last Annual Meeting (if applicable) G. Minutes of last Annual Board Meeting (if applicable)
8.	Board collects Proxies from Owners by and encourages meeting attendance
9.	Preparation of Package #3
10.	Bring Package #3 to Annual Meeting including: A. Ballots (one for each Unit with % of ownership listed on each) B. Sign-In Sheet C. Ballot Counting Sheet By Individual Candidates (have copies for all candidates) D. Ballot Counting Summary Sheet
11.	Annual Members Meeting: Election of Board & Minutes Approval Adjournment to Annual Board Meeting directly following Annual Board Meeting: Board Votes on Officers & Minutes Approval

COMMON	ATTITUDE.	LOCOCTA	TEAT
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SAMPLE ANNUAL MEETING SCHEDULE:

Below is a sample schedule to give you an idea of how this works. Start at the bottom and work your way up using the Schedule on the first page.

Week of Oct. 2-6:

Prepare/Mail Package #1

Week of Oct. 9-13:

Begin Preparation of Package #2

[Note; You can get everything finalized/copied except Proxy & Board Qualification Forms]

Week of Oct. 16-20:

- · Board Qualification Forms Due: Monday, Oct. 16
- Copy all Board Qualification Forms Submitted (can be double-sided to save postage)
- Customize Proxy with Deadline & Names of Candidates (from Board Qualification Forms submitted)
- · Copy all Proxies
- · Assemble/Mail Package #2 to all owners

Note: If you did not get many candidates, you can decide to extend deadline and encourage participation before distributing final Package #2. If so, time to politic owners for candidates!

Week of Oct. 23-24:

Begin Preparation of Package #3

Week of Oct. 30-Nov. 3:

- Proxies Due to Board Contact By: Thursday, Nov. 2
- Package #3 is finalized

Week of Nov. 6-10:

- Bring Package #3 to Meeting
- · Bring all submitted Proxies to Meeting

MEETING: Monday, November 6, 2006

Note: The amount of time for each process can be shortened if Board members are available to turn things around quickly. The additional time included allows Boards breathing room in the event that candidates do not step up and if the Board needs extra time to prepare and distribute the packages.

Remember, the more advanced notice you give, the better the chances that owners will be able to plan ahead to participate!

DATE:	
TO:	All Members of theCondominium Assoc.
FROM:	Board of Directors
RE:	ANNUAL MEETING OF THE MEMBERS(day, date, time)
	(day, date, time)
	ANNUAL BOARD MEETING WILL IMMEDIATELY FOLLOW
Association w	eby given that the Annual Meeting of the Members of the
members of th	pose of this meeting is to elect replacements for the Board of Directors from the de Association. A quorum of of owners in person or by proxy must be present ag therefore your attendance is important.
	ration, Article, Paragraph, the Board shall consist of unit owners. The will be seats available on the Board.
invited to appl returned to _	closed a Board Qualification Form. Every owner (one representative per unit) is by for the Board seats available. Board Qualification Forms should be no later than (day, date). They will then be redistributed to all riew prior to the meeting to assist owners in their voting choices.
	ormation regarding the Annual Meeting and Annual Board Meeting, including agenda labe forthcoming.
Thank you fo	r your cooperation.
Budget Adopt	d: If a regular Board Meeting will also be included as the first meeting—i.e, for ion—you can add that information in this Notice as well but you also must send the get then for a 30-day review.]

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ANNUAL MEMBERS MEETING

(DAY, DATE) (TIME) (LOCATION)

BALLOT FOR: ELECTION OF BOARD

VOTE FOR _____ ONLYCumulative Voting is permitted

VOTES:
[INSERT NAME OF CANDIDATE]
[BLANK FOR WRITE-IN CANDIDAT
NUMBER OF BOARD SEATS AVAILABLE, NAMES OF CANDIDATES AND LEAV ROOM FOR A WRITE-IN CANDIDATE.] NOTE-You have votes to cast. Your Ballot will be judged invalid if you indicate morthan total votes; fewer than is acceptable (CUSTOMIZE WITH NUMBER (CANDIDATES)). Place the number of votes you are casting for a candidate in the box in from of the candidates name. There are positions available. Cumulative voting is permitted. [NOTE: BELOW PORTION TO BE FILLED IN BY BOARD IN ADVANCE UNLESS SECRET BALLOT IS PERMITTED.] Name: Unit Number: Percentage of Ownership: = Total

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ANNUAL MEMBERS MEETING

(DAY, DATE) (TIME) (LOCATION)

BALLOT FOR: ELECTION OF BOARD

VOTE FOR _____ ONLYNon-Cumulative Voting

PLEASE MARK AN "X" BEFORE THE NAME(S) SELECTED (add/delete as needed). BLANK LINE(S) MAY BE USED TO VOTE FOR A WRITE-IN CANDIDATE

MARK "X" FOR SELECTIONS:	NAMES OF CANDIDATES / WRITE-INS:
	1
	2
	3
	4
	5
NOTE-You have votes to cast. You than total votes; fewer than	our Ballot will be judged invalid if you indicate more is acceptable.
[NOTE: BELOW PORTION TO BE F SECRET BALLOT IS PERMITTED.]	TILLED IN BY BOARD IN ADVANCE UNLESS
Name:	
Unit Number <u>:</u>	<u> </u>
Percentage of Ownership:	
Unit Parking = '	Total

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ANNUAL MEMBERS MEETING SIGN-IN SHEET: DAY, DATE, TIME, LOCATION

Note: All in Attendance Must Sign In To Obtain Ballot Whether "In Person" or Represented "By Proxy" on Owner Name Owner's Behalf Owner Name Address/Unit # % Ownership "In Person" Signature OR "By Proxy" Signature

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ANNUAL MEMBERS MEETING SIGN-IN SHEET: DAY, DATE, TIME, LOCATION

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	20	21	22	23	24	25	26	27	28	

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ANNUAL MEMBERS MEETING

(DAY, DATE, TIME) (LOCATION)

BALLOT COUNTING SHEET FOR INDIVIDUAL CANDIDATES

(CANDID	ATE NA	ME: _					
Include on (Note: If y that person	the lines be our Associ . For exan	ation has C uple, if Unit	of ownersh Cumulative t 101 placed		ets listed e for one ca	ach time vot	vidual candide is placed for their % of	
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ANNUAL MEMBERS MEETING

(DAY, DATE, TIME) (LOCATION)

BALLOT COUNTING SUMMARY SHEET

Instructions for Volunteer Tabulators:

After going through all ballots and tabulating all votes on the *Ballot Counting Sheet For Individual Candidates* Form, transfer the Total amounts from the bottom of those forms to the below lines listing the highest votes first. (Based on your Declaration/By-Laws, the highest votes would confirm which candidates serve the longer terms, if applicable.) Add or delete lines below as needed.

CANDIDATES (listed by highest votes first):	TOTAL VOTES BY %:
1)	
2)	
3)	
4)	
5)	

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NEW BOARD MEMBER INFORMATION FORM

(Note to Manager/Board Secretary: After an Annual Election and/or Board Transition, have all board members fill out. Distribute to Manager and all Board Members.)

Date:			
Board Member:			
Address/Unit:			
Phones: Home:	Work:	Fax:	
E-Mail: (Home)	(Office):		
Is it okay to e-mail at work? Y	N		
Cell:	Other:		_
In the Evening Please understand that a Board Roste upon request. What number would y	ou want published	and may be available for al	
Please identify any other concerns or responsibility.	requirements you	have as you undertake you	ır board
Please return to:	Thank you!	as soon as possible.	

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BOARD OF DIRECTORS CANDIDATE INFORMATION / QUALIFICATION FORM

NAME:	UNI	T #:		
ADDRESS:_				
PROFESSION	N:			
COMPANY A	FFILIATION:			
HAVE YOU SE	RVED ON A CONDOMINIUM BOARD BE	FORE?	***************************************	
IF SO, BUILDI	NG/WHEN:			
HAVE YOU SE	RVED ON THIS CONDOMINIUM BOARD	BEFORE?		
	TE A BRIEF HISTORY OF THE QUAL TO THE OPERATION OF THE ASSOCIA		U FEEL	WOULD BE OF
QUALIFICAT	IONS — BACKGROUND			
CANDIDATE	COMMENTS:			
(SIGNATURE)	(DATE)		
	Please return completed form by to		(DATE)	
	to	_ (CONTACT).		

-	CONDOMINIUM ASSOCIATION
DATE:	
TO:	All Members of theCondominium Assoc.
FROM:	Board of Directors
RE:	ANNUAL MEETING OF THE MEMBERS(day, date, time)
	ANNUAL BOARD MEETING WILL IMMEDIATELY FOLLOW
Association	eminded that the Annual Meeting of the Owners of (NAME OF ASSOCIATION) Condominium will be held on(DAY, DATE AND TIME) at(LOCATION). As we will need a quorum of owners to open this meeting, your your proxy is important. You are requested to fill out the attached Proxy in the event you are tend.
1. E 2. F 3. A 4. A 5. N	ded in this packet please find: Board Qualification Forms from: (LIST NAMES OF KNOWN APPLICANTS) Proxy Annual Members Meeting Agenda Annual Board Meeting Agenda Minutes of last Annual Members Meeting (delete this if not applicable) Minutes of last Annual Board Meeting (delete this if not applicable)
unable to at information you do atter Condominion their Proxy if you choose	erson who can vote in your place) can be desginated to take your place at this meeting if you are tend. Owners wishing to use the Proxy Form are asked to fill in the blank lines with specific as requested. If you are unsure whether you can come or not, please send in your Proxy Form, if ad the meeting, your Proxy Form will be voided and will be returned. Additionally, Illinois am Law states that owners must be given an opportunity to select from any known candidates on Form. This is not your ballot, it is your direction to your Proxy to vote as you intended. Therefore, se, you may mark your preference (or write in) for the candidates of your choice. Per your, there are seats available this year. Current Board members may also apply to serve again.
	n your Proxy to(WHERE) no later than(DAY&DATE FOR (SELF ADDRESSED ENVELOPE CAN BE USED)
	ige all owners to come to the meeting to socialize with your neighbors and participate in the on of your association. If you have questions, please feel free to contact (NAME, PHONE NUMBER).
	Thank you for your full cooperation!

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ANNUAL MEETING OF THE MEMBERS

DAY AND DATE TIME LOCATION

AGENDA

- I. ESTABLISHMENT OF QUORUM & CALL TO ORDER
- II. STATEMENT OF PURPOSE
- III. APPROVAL OF MINUTES OF ANNUAL MEETING OF _____ (last year)
- III. ELECTION OF BOARD
 - A) ANNOUNCEMENT OF NOMINEES
 - B) CALL FOR NOMINATIONS FROM THE FLOOR
 - C) MOTION TO CLOSE NOMINATIONS
 - D) NOMINEES COMMENTS (OPTIONAL)
 - E) CALL FOR VOTE
- IV. TABULATION OF VOTES (Volunteers Needed)
- V. OPEN FORUM (may be done while Votes are being Tabulated)
- VI. RESULTS OF ELECTION, BOARD TRANSITION
- VII. OTHER BUSINESS BROUGHT BEFORE THE MEMBERS
- VIII. ADJOURNMENT TO ANNUAL BOARD MEETING (if applicable)

ANNUAL BOARD MEETING

DAY, DATE

IMMEDIATELY AFTER THE ANNUAL MEMBERS MEETING

LOCATION

AGENDA

- I. CALL TO ORDER
- II. APPROVAL OF MINUTES OF ANNUAL BOARD MEETING OF ____ (last year)
- III. ELECTION OF OFFICERS
- IV. CURRENT BUSINESS
- V. OTHER BUSINESS BROUGHT BEFORE THE BOARD
- V. ADJOURNMENT

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PROXY FOR: ANNUAL MEMBERS MEETING

Cumulative Voting is permitted.

I, (print name)		, owner of unit	at the
Condominium Associa	tion do hereby co	onstitute	
NAME OF PROXY) or in that proxies stead			
		rney and agent for me to vote	
nnual Meeting to be held on OCATION) and any adjournment of said r			
llowing candidates and/or write-in candidate			
our vote as he/she sees fit):	os. (11 no prototor	io is indicated solow, are in	ony moraor may base
,			
Board positions are open this elect			
embers of the Board. Please mark the nu			
the candidate name. Note—your vote wi			an total vote
wer than is acceptable. Write-in ca	indidates are als	o acceptable.	
1. Name (unit)		5. Name (unit)	
(3.2.4		, see 1, and (and	
2. Name (unit)		6.	
3. Name (unit)		7.	
4 Nime (min		0	
4. Name (unit)		8.	
I understand that if I should attend the me ballot for that meeting only.			
banot for that moeting only.			
IN WITNESS WHEREOF, I have	executed this pro	oxy on the day of	
, 2			
	Signature line		
	Signature inte		
PERCENTAGE	(Print Name h	ere)	
OF OWNERSHIP	`	,	
	Address:		
%			
Please Return Proxy to:		(CON	FACT)
Proxy must be returned by	(DATE) o	r may be given to vour des	ignated Proxv
		nding the meeting.	<i>G</i>
	nt Ziini na 2000 Mini Bahili inin mejeliki menggalanggi pepantungi kepalikan menggalangganggi.	emakan unun serikkilakan elikka kolika kalikai kalikai kalikai kalikai kalikai kalikai kalikai kalikai kalikai	on a non-white of the third numbers of status of the state of the stat
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COMMUNICITY	AUDUCLALIUN

PROXY FOR: ANNUAL MEMBERS MEETING

Non-Cumulative Voting

DATE:
Address/Unit #
The undersigned, being the legal owner(s) of
There are seats available. Please vote for members of the Board by placing an "X" in front of the candidates you are selecting. (INSERT NAME(S) OF ANY KNOWN CANDIDATES)
(Owner's Signature)
(Owner's Signature)
NOTE: Please sign your name as it appears in your closing documents.
This proxy shall expire eleven (11) months from the date executed above unless revoked prior thereto.
Please Return Proxy to: (CONTACT) Proxy must be returned by (DATE) or may be given to your designated Proxy or a member who will be attending the meeting.